

I. NOTICE OF PREPARATION AND SCOPING MEETING COMMENTS

A. LIST OF NOP COMMENTS RECEIVED

The following agencies and members of the public have prepared comments on the NOP:

Federal, State and Local Agencies	
United States Department of the Interior Fish and Wildlife Service Letter of April 26, 2006	2493 Portola Road, Suite B Ventura, CA 93003 Contact: Steve Henry
State of California Department of Conservation Letter of April 25, 2006	801 K Street MS 18-01 Sacramento, CA 95814 Contact: Dennis J. O'Bryant
State of California Department of Transportation Letter of April 25, 2006	50 Higuera Street San Luis Obispo, CA 93401 Contact: James Kilmer, District 5
State of California Public Utilities Commission Letter of April 4, 2006	505 Van Ness Avenue San Francisco, CA 93408 Contact: Kevin Boles
County of San Luis Obispo Air Pollution Control Letter of May 9, 2006	3433 Roberto Court, San Luis Obispo, CA 93401 Contact: Andy Mutziger
County of San Luis Obispo Department of Agriculture /Measurement Standards Letter of April 20, 2006	2156 Sierra Way, Suite A San Luis Obispo, CA 93401 Contact: Lynda Auchinachie
County of San Luis Obispo Department of Parks and Recreation Letter of May 4, 2006	1087 Santa Rosa Street San Luis Obispo, CA 93408 Contact: Shaun Cooper
County of San Luis Obispo Department of Public Works Letter of April 24, 2006	County Government Center, Room 207 San Luis Obispo, CA 93408 Contact: Richard Marshall
Local Agency Formation Commission (LAFCO) Letter of April 24, 2006	1042 Pacific Street, Suite A San Luis Obispo, CA 93401 Contact: David Church, AICP
City of El Paso De Robles Letter of May 23, 2006	1000 Spring Street Paso Robles, CA 93446 Contact: Susan DiCarli
Paso Robles Public Schools Letter of March 29, 2006	800 Niblick Road P.O. Box 7010 Paso Robles, CA 93447 Contact: Gary Hoskins

Applicant/Agent	
RRM Design Group Letter of April 28, 2006	3765 South Higuera Street, Suite 102 San Luis Obispo, CA 93401 Contact: John Knight
Law Offices of Bornholdt & Associates Letter of May 10, 2006	1035 Peach Street, Suite 202 San Luis Obispo, CA 93401 Contact: Ken Bornholdt

General Public and Private Organizations	
Paul Campomenosi Letter of April 11, 2006 Letter of April 21, 2006	10950 Pear Valley Way San Miguel, CA 93451
Andrea Hobbs Letter of April 11, 2006	P.O. Box 156 San Miguel, CA 93451
Walter Hobbs Letter of April 11, 2006	P.O. Box 156 San Miguel, CA 93451
Bob Hrabe Letter of April 4, 2006 Letter of April 13, 2006	P.O. Box 359 San Miguel, CA 93451
Steven and Patricia McHarris Letter of April 20, 2006	P.O. Box 335 San Miguel, CA 93451
John Pritchard Letter of (no date)	

B. SAN MIGUEL RANCH GPA SCOPING MEETING COMMENTS

The following is a summary list of comments received at the San Miguel Ranch GPA Scoping meeting on April 11, 2006. The full text of each comment follows the summary table.

1. Traffic

- a. Bob Hrabe
 - Cemetery Road and 10th Street – extra traffic on Highway 101 on- and off-ramps, around Nygren Road.
- b. Kat Wright
 - How will roadway be affected (on- and off-ramps).
- c. Sharon Brower
 - On-ramp at southern tip of development
- d. Sam Peck
 - Southbound exit is disaster in the making.
 - Northbound 101 exit will be backed up.
- e. Denis Dehger
 - Increased traffic on 10th Street.
- f. Noel Carpenter
 - New road cuts between his property and his neighbors; can the road/traffic be diverted to the east rather than to 10th street.
 - Switch placement of large/small parcels (large parcels border farms instead of small parcels).
- g. Curtis Doran
 - Midland project – cumulative traffic.
- h. Coral Procter
 - 10th Street and Cemetery Road – increased traffic.
 - Traffic safety at Nygren Road.
- i. Randy Bartlett
 - Road and traffic increase impacts.
- j. Roland Desfasses
 - Traffic increase – problems at 10th Street and Cemetery Road.
 - On- and off-ramps.
- k. Skip Mason
 - Increase in number of cars.
- l. Linda Morra
 - Circulate traffic through downtown area.
 - Speed issues through downtown area and access roads.
- m. Larry Rhodes
 - Traffic mitigation measures – buses, bike paths, road maintenance.

2. Water Quality/Water Supply/Water Levels (Wells)

- a. Paul Campomenosi
 - Tap Nacimiento for water supply.
 - Paso Groundwater study.
 - Water table dropping.
- b. Susan Garcia
 - Increased population will affect water supply; how much water will be used.
- c. Betty Cazaly
 - Water supply
- d. Kat Wright
 - Water supply.
- e. Geoff O'Keefe
 - Water loss from increased useage.
- f. Randy Kuiatkowski
 - Water supply impacts.
- g. Don Wolff
 - Supports project (born in San Miguel) – people have to live somewhere. Be sure to address water well issues.
- h. Bud Wimer
 - Less water used with residents than Ag land.
- i. Janet Richardson
 - Test water use/levels of wells.
 - Right to have wells tested.
 - How are current property owners/surrounding property protected, how determine impact of development on wells.
- j. Terry Babb
 - Salinity levels of water.

3. Noise

- a. Geoff O'Keefe
 - Moved to get away from suburbs – noise from gas station, fast food, etc. (day and night).
 - Noise from increased traffic at peak hours.
- b. Coral Proctor
 - Camp Roberts noise.
 - Noise from increased traffic.
- c. Skip Mason
 - Train is already loud enough – development will increase number of cars which will increase noise. Noise will have negative effects on livestock.

4. Public Services, Public Utilities, Schools

- a. Paul Campomenosi
 - Sheriff and Schools are already maxed out
- b. Susan Garcia
 - Affect of development on schools.
- c. Betty Cazaly
 - Wastewater disposal capacity.
- d. Kat Wright
 - Schools and sewer issues.
 - Solid waste/Waste management issues; Landfills.
- e. Carole Verschoor
 - Public Transportation – elderly (as a mitigation measure).
- f. Lisa Belmonte
 - Impact on schools – increase in number of students.
- g. Randy Kuiatkowski
 - Ag crime.
- h. Rose Ripel
 - Sewer issues.
- i. Randy Bartlett
 - Police – response time.
- j. Skip Mason
 - School bond, increase police and fire.

5. Pollution (Air, Light, Water, Etc.)

- a. Sharon Brower
 - Auto Emissions – how will they affect the Ag land.
- b. Norm Grecius
 - Air Quality – Letter from APCD regarding pollution from extra traffic, air quality will diminish.
- c. Denis Dehger
 - Light pollution from increase in number of cars and more street lights.
- d. Curtis Doran
 - Light pollution.
- e. Geoff O’Keefe
 - Diesel fumes from gas station.
 - Light pollution from commercial/retail.
- f. Skip Mason
 - Air pollution issues.

- g. Larry Rhodes
 - Hardscape runoff (oil from cars) – water quality would be affected.

6. Agricultural Issues

- a. Terry Babb
 - Spraying vineyards – complaints about farmers working.
- b. Randy Kuiatkowski
 - Ag land commersions.

7. Wildlife

- a. Sharon Brower
 - Indigenous Wildlife – how will they be affected by the new development.
- b. Lisa Belmonte
 - SJKF – mitigation.

8. Housing

- c. Kathleen Carpenter
 - Residential Designations – Secondary Dwellings

9. Downtown San Miguel

- a. Susan Garcia
 - Shopping – moving some business from downtown area up to Commercial/Retail area of project.
- b. Scott Young
 - Historic San Miguel and downtown businesses will suffer.
- c. Denis Dehger
 - Historic San Miguel will be affected.
- d. Kat Wright
 - Local businesses/downtown will be affected.
- e. Sharon Brower
 - Tax Base – no industry in San Miguel, how will local businesses be affected.
- f. Lisa Belmonte
 - Mitigate impacts on downtown San Miguel.
- g. Randy Kuiatkowski
 - Downtown will suffer.

- h. Skip Mason
 - Financial impacts/benefits for community.
 - Tax base from project contributing to the community.

10. Miscellaneous

- a. Paul Campomenosi
 - Can San Miguel compete with surrounding communities commercially?
- b. Betty Cazaly
 - Disagrees with rezoning.
- c. Sharon Harvey
 - LAFCO study
 - Will no longer be a walkable community
 - DoD – urbanization regulations
 - Is project a General Plan violation?
- d. Rose Ripel
 - Zoning changes – setting precedence?
 - Tax revenue for community.
- e. Curtis Doran
 - Rezoning – when will they draw the line.
- f. Lisa Belmonte
 - Development fees (Mello Ruse fees)
- g. Scott Young
 - Phased project?
- h. Noel Carpenter
 - Larger parcels = less controversy
- i. Steve McHarris
 - Agrees with impacts.
 - Familiar with process.

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United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ventura Fish and Wildlife Office
2493 Portola Road, Suite B
Ventura, California 93003



IN REPLY REFER TO:
PAS 141.4089.5373

April 26, 2006

Steve McMasters, Project Manager
Environmental Division
Department of Planning and Building
County Government Center
San Luis Obispo, California 93408-2040

RECEIVED
APR 28 2006
Planning & Bldg

Subject: Comments on the Notice of Preparation of a Draft Environmental Impact Report for the San Miguel Ranch General Plan Amendment, and Vesting Tentative Tract Map (LRP2004-00007) ED05-237

Dear Mr. McMasters:

We have reviewed the Notice of Preparation of a Draft Environmental Impact Report for the San Miguel Ranch General Plan Amendment and Vesting Tentative Tract Map (LRP2004-00007) ED05-237 (NOP), dated March 22, 2006, and received here on March 27, 2006. The County of San Luis Obispo will be the lead agency and prepare an environmental impact report for the proposed development project. The proposed project could result in the rezoning and subdivision of approximately 550 acres to allow for the construction of 389 new residential units (with the potential for an additional 345 dwelling units), along with commercial, recreation and open space land uses.

The project site is located west and northwest of the community of San Miguel, San Luis Obispo County, California, approximately 400 yards west of the Salinas River, and near the southern boundary of Camp Roberts. The project site contains agricultural land, blue oak savannah, coastal scrub land, ruderal grassland, and jurisdictional wetlands.

The U.S. Fish and Wildlife Service's (Service) responsibilities include administering the Endangered Species Act of 1973, as amended (Act), including sections 7, 9, and 10. Section 9 of the Act prohibits the taking of any federally listed endangered or threatened species. Section 3(18) of the Act defines take to mean to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. Service regulations (50 CFR 17.3) define harm to include significant habitat modification or degradation which actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering. Harassment is defined by the Service as an intentional or negligent action that creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavior patterns which include, but are not limited to, breeding, feeding, or

sheltering. The Act provides for civil and criminal penalties for the unlawful taking of listed species. Exemptions to the prohibitions against take may be obtained through coordination with the Service in two ways: through interagency consultation for projects with Federal involvement pursuant to section 7 or through the issuance of an incidental take permit under section 10(a)(1)(B) of the Act.

It is stated on page 12 of the NOP that the proposed project has the potential to result in impacts to the San Joaquin kit fox and vernal pool fairy shrimp. It is further stated that during general level surveys, San Joaquin kit fox was observed on the project site; however, we have subsequently been informed by Kevin Merk of Rincon Consultants that this statement is in error.

The population of San Joaquin kit fox in the Camp Roberts area experienced a catastrophic decrease in the 1990s, from which it has yet to recover. The recovery plan for the San Joaquin kit fox (page 135) calls for protecting and enhancing San Joaquin kit fox habitat in the Salinas-Pajaro Region, which is centered on Camp Roberts and Fort Hunter Liggett, and for protecting and enhancing the corridor for movement from the Salinas Valley to the Carrizo Plain and San Joaquin Valley. It is the opinion of the California Department of Fish and Game that this project would contribute to blocking the link between San Joaquin kit fox populations at Camp Roberts and the Carrizo Plain. Based on the project's location and scale, we agree and note that it may result in take of San Joaquin kit fox by the loss of foraging and dispersal habitat.

In addition, there is potential for other federally listed species to occur on the project site, such as the federally threatened vernal pool fairy shrimp (*Branchinecta lynchi*) and purple amole (*Chlorogalum purpureum* var. *purpureum*). Consequently we recommend that a habitat assessment be conducted for all potentially-occurring federally-listed species. If suitable habitat is identified then protocol surveys should be performed.

We thank you for the opportunity to comment on the NOP and your consideration of our comments. Please send us a copy of the draft EIR (and any biological appendices). If you have any questions regarding this letter, please contact Chris Kofron of my staff at (805) 644-1766, extension 303.

Sincerely,

Handwritten signature of Julie V. Zanderwies in cursive script.

Steve Henry
Assistant Field Supervisor
San Luis Obispo/Northern Santa Barbara

cc: Bob Stafford, California Department of Fish and Game



DEPARTMENT OF CONSERVATION

DIVISION OF LAND RESOURCE PROTECTION

801 K STREET • MS 18-01 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 324-0850 • FAX 916 / 327-3430 • TDD 916 / 324-2555 • WEBSITE conservation.ca.gov

April 25, 2006

RECEIVED

MAY 01 2006

Planning & Bldg

Steve McMasters, Project Manager
San Luis Obispo County
Department of Planning and Building
Environmental Division
County Government Center, Room 310
San Luis Obispo, CA 93408-2040

Subject: Notice of Preparation (NOP) of a Draft Environmental Impact Report
(DEIR) for the San Miguel Ranch General Plan Amendment and Vesting
Tentative Tract Map (LRP2004-00007) ED05-237 **SCH#2006031108**

Dear Mr. McMasters:

The Department of Conservation's (Department) Division of Land Resource Protection (Division) monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. The Division has reviewed the above NOP and offers the following recommendations for the DEIR with respect to the project's potential impacts on agricultural land.

The proposed project involves rezoning and subdivision of 550 acres for residential (389 units), commercial, recreational and open space purposes. The NOP notes that the project area is currently used for dryland agriculture. Therefore, the Division recommends that, at a minimum, the following items be specifically addressed to document and treat project impacts on agricultural land and land use.

Agricultural Setting of the Project

The DEIR should describe the project setting in terms of the actual and potential agricultural productivity of the land. The Division's San Luis Obispo County Important Farmland Map, which defines farmland according to soil attributes and land use, indicates the project area as Farmland of Local Importance. This map category is used to designate land important to the local agricultural economy. The county-specific definition for San Luis Obispo County follows:

*The Department of Conservation's mission is to protect Californians and their environment by:
Protecting lives and property from earthquakes and landslides; Ensuring safe mining and oil and gas drilling;
Conserving California's farmland; and Saving energy and resources through recycling.*

- Local Importance (L): areas of soils that meet all the characteristics of Prime or Statewide, with the exception of irrigation. Additional farmlands include dryland field crops of wheat, barley, oats, and safflower.
- Local Potential (LP): lands having the potential

The Division also recommends including the following information to characterize the agricultural land resource setting of the project.

- Current and past agricultural use of the project area. Include data on the types of crops grown, and crop yields and farmgate sales values.
- To help describe the full agricultural resource value of the soils on the site, we recommend the use of economic multipliers to assess the total contribution of the site's potential or actual agricultural production to the local, regional and state economies. State and Federal agencies such as the UC Cooperative Extension Service and USDA are sources of economic multipliers.

Project Impacts on Agricultural Land

- Type, amount, and location of farmland conversion resulting directly and indirectly (growth-inducement) from project implementation.
- Impacts on current and future agricultural operations; e.g., fragmentation of agricultural lands, land-use conflicts, increases in land values and taxes, vandalism, etc.
- Incremental project impacts leading to cumulatively considerable impacts on agricultural land. This would include impacts from the proposed project as well as impacts from past, current and probable future projects.

Impacts on agricultural resources may also be quantified and qualified by use of established thresholds of significance (California Code of Regulations Section 15064.7). The Division has developed a California version of the USDA Land Evaluation and Site Assessment (LESA) Model, a semi-quantitative rating system for establishing the environmental significance of project-specific impacts on farmland. The model may also be used to rate the relative value of alternative project sites. The LESA Model is available on the Division's website noted later in this letter.

Mitigation Measures and Alternatives

Feasible alternatives to the project's location or configuration that would lessen or avoid farmland conversion impacts should be considered in the DEIR. The Division recommends the purchase of agricultural conservation easements on land of at least equal quality and size as partial compensation for the direct loss of agricultural land, as well as for the mitigation of growth inducing and cumulative impacts on agricultural land. We highlight this measure because of its growing acceptance and use by lead agencies as mitigation under the California Environmental Quality Act (CEQA).

Mitigation using conservation easements can be implemented by at least two alternative approaches: the outright purchase of conservation easements tied to the project, or via the donation of mitigation fees to a local, regional or statewide organization or agency, including land trusts and conservancies, whose purpose includes the purchase, holding and

Steve McMasters, Project Manager

April 25, 2006

Page 3 of 3

maintenance of agricultural conservation easements. Whatever the approach, the conversion of agricultural land should be deemed an impact of at least regional significance and the search for mitigation lands conducted regionally, and not limited strictly to lands within the San Miguel area.

Information about conservation easements is available on the Division's website, or by contacting the Division at the address and phone number listed below. The Division's website address is:

<http://www.conservation.ca.gov/DLRP/>

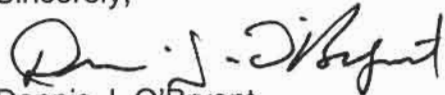
Of course, the use of conservation easements is only one form of mitigation that should be considered. The following mitigation measures could also be considered:

- Increasing home density or clustering residential units to allow a greater portion of the development site to remain in agricultural production.
- Protecting nearby farmland from *premature* conversion through the use of less than permanent long-term restrictions on use such as 20-year Farmland Security Zone contracts (Government Code Section 51296) or 10-year Williamson Act contracts (Government Code Section 51200 et seq.).
- Establishing buffers such as setbacks, berms, greenbelts, and open space areas to separate farmland from incompatible urban uses.
- Investing in the commercial viability of the remaining agricultural land in the project area through a mitigation bank which invests in agricultural infrastructure, water supplies and marketing.

The Department believes that the most effective approach to farmland conservation and impact mitigation is one that is integrated with general plan policies. For example, the measures suggested above could be most effectively applied as part of a comprehensive agricultural land conservation element in the County's general plan. Mitigation policies could then be applied systematically toward larger goals of sustaining an agricultural land resource base and economy. Within the context of a general plan mitigation strategy, other measures could be considered, such as the use of transfer of development credits, mitigation banking, and economic incentives for continuing agricultural uses.

Thank you for the opportunity to comment on the NOP. If you have questions on our comments, or require technical assistance or information on agricultural land conservation, please contact the Division at 801 K Street, MS 18-01, Sacramento, California 95814; or, phone (916) 324-0850.

Sincerely,



Dennis J. O'Bryant
Acting Assistant Director

cc: Upper Salinas-Las Tablas RCD
65 Main Street, Suite 108
Templeton, CA 93465

DEPARTMENT OF TRANSPORTATION

50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
PHONE (805) 549-3111
FAX (805) 549-3329
TDD (805) 549-3259
<http://www.dot.gov/dist05>



*Flex your power!
Be energy efficient!*

April 25, 2006

SLO-101 PM – BB 65.56/R67.71

Steve McMasters,
Department of Planning & Building
Environmental Division
County Government Center
San Luis Obispo, CA. 93408

Dear Mr. McMasters;

RE: San Miguel Ranch General Plan Amendment and Vesting Tentative Tract
Map (LR2004-00007) ED05-237 Notice Of Preparation (NOP)

The California Department of Transportation (Caltrans) has reviewed the above referenced project information and as a result, the following comments were generated.

Caltrans agrees that this proposed project has the potential to generate enough new traffic to significantly impact U.S. 101 facilities. We also agree that a full traffic impact study (TIS), prepared by a licensed traffic engineer needs to be prepared as part of the Environmental Impact Report (EIR) for the proposed San Miguel Ranch Development.

We would ask that the TIS include the following traffic analysis scenarios: existing only conditions, project only conditions, existing + project conditions, cumulative only conditions and cumulative + project conditions. The Initial Study checklist left out the need to do an existing + project analysis that would help to identify *project specific* traffic impacts on State highway facilities caused by the development. The text under the *Mitigation/Conclusion* paragraph states that, "The analysis shall determine long-term traffic conditions on impacted roadways, highways, highway interchange capacity...", etc. We agree with this statement but the traffic study also needs to include an analysis of the development's *project-specific* traffic impacts as well. Please visit the following internet site to access the *Department's Guidelines for the Preparation of Traffic Impact Studies*:
<http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf>.

The County's initial study has correctly identified a number of important 101 interchange locations for study in the TIS. We agree and commend County Staff's thoroughness for scoping the traffic study to extend south to include this project's traffic impacts to 101/46 East (46E) Interchange (I/C) facility.

We recommend that the traffic study analyze the Friday, PM peak hour, summertime conditions at the 101/46E I/C as this is the most congested peak hour traffic scenario for that facility. We can provide the applicant's Traffic Engineer with the latest traffic count data for that Interchange location. Please call Ms. Gail Hayes in Public Records at 549-3241 regarding the process for obtaining copies of the traffic data.


This project will access U.S. 101 at the 10th Street Bridge in the south and the South Camp Roberts Overhead (SCRO) facility in the north. Residential units in the north portion of the project will be able to enter San Miguel by utilizing the southbound on-ramps at SCRO and utilize the Mission Street off-ramp, travel under 101 and head into town.

As project specific mitigation, we ask that the traffic study discuss the need to analyze the operational needs of these facilities as well as identify the possible need to rehabilitate the roadway surfaces of the ramps, auxiliary lane surfaces and bridge surfaces as project specific mitigation strategies.

Other project specific mitigation could include the preparation of a Project Study Report (PSR) to study reconstruction improvements to any of the project utilized State highway facilities including Interchanges, eg., the south bound 101 on-ramp at 10th street.

Cumulative mitigation could include, but not be limited to, a fair share contribution based on a pro rata share of this proposed project's traffic impacts at these interchanges. The PSR could provide the order of magnitude cost estimates on which to initially base a fair share contribution.

We appreciate County Staff's effort to comprehensively scope the study needs of traffic impact study for the San Miguel Ranch Development EIR. If you have any questions, please contact me at 549-3683.

Sincerely;

James Kilmer
District 5
Development Review

c: File, D. Murray, J. McKrell, P. McClintic, K. McClain, R. DeCarli - SLOCOG

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



April 4, 2006

Steve McMasters
San Luis Obispo County
County Government Center, Room 310
San Luis Obispo, CA 93408

Dear Mr. McMasters:

Re: SCH 2006031108; San Miguel Ranch General Plan Amendment, etc.

As the state agency responsible for rail safety within California, we recommend that any development projects planned adjacent to or near the rail corridor in the County be planned with the safety of the rail corridor in mind. New developments may increase traffic volumes not only on streets and at intersections, but also at at-grade highway-rail crossings. This includes considering pedestrian circulation patterns/destinations with respect to railroad right-of-way.

Safety factors to consider include, but are not limited to, the planning for grade separations for major thoroughfares, improvements to existing at-grade highway-rail crossings due to increase in traffic volumes and appropriate fencing to limit the access of trespassers onto the railroad right-of-way. Of particular concern is that any new developments help fund safety improvements needed to address the cumulative impacts of the numerous developments occurring or proposed for the vicinity.

The above-mentioned safety improvements should be considered when approval is sought for the new development. Working with Commission staff early in the conceptual design phase will help improve the safety to motorists and pedestrians in the County.

If you have any questions in this matter, please call me at (415) 703-2795.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kevin Boles".

Kevin Boles
Utilities Engineer
Rail Crossings Engineering Section
Consumer Protection and Safety Division

cc: Pat Kerr, UP

RECEIVED
APR 10 2006
PLANNING & ENV



**AIR POLLUTION
CONTROL DISTRICT**
COUNTY OF SAN LUIS OBISPO

May 9, 2006

Mr. Steve McMasters
County of San Luis Obispo, Environmental Division
Department of Planning and Building
County Government Center
San Luis Obispo CA 93408

SUBJECT: APCD Comments on NOP for the San Miguel Ranch GPA DEIR (LRP2004-00007)

Dear Mr. McMasters,

Thank you for including the San Luis Obispo County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the Notice of Preparation (NOP) for the San Miguel Ranch General Plan Amendment's (GPA) Draft Environmental Impact Report (DEIR). The ranch is located west of San Miguel and Highway 101. The proposal is a request for approval of a GPA and a Vesting Tentative Tract Map that would result in the rezoning and subdivision of approximately 550 agricultural acres in order to allow for a variety of residential, commercial, recreation, and open space land uses. Against strong APCD and County Planning Commission's opposition, the proposed GPA was authorized for processing by the County Board of Supervisors (Board) in June of 2005. Should an EIR for this GPA be certified by the Board, the Local Agency Formation Commission (LAFCO) would have to add the property into the San Miguel Sphere of Influence (SOI). Should the SOI expansion occur, then the property would have to be annexed into the San Miguel Urban Reserve Line (URL) for the project to begin.

If this project moves forward, it would result in the development of at least 389 residential units on 406 acres that are far removed from the closest available major services in Paso Robles. In addition, it would create a community that would be physically bisected by Highway 101. As proposed, the rezoning of the agricultural land could also allow for up to 345 secondary dwelling units (SDU) and their resulting impacts to occur. A small 6.2 acre commercial component is proposed and would consist of a motel, highway retail and some minor neighborhood retail. Three parks are proposed for a total of 8.5 acres and the remaining 130 acres is proposed to remain as open space. *The following are APCD comments that are pertinent to the NOP for this project.*

I. Contact Person:

Andy Mutziger
Air Pollution Control District
3433 Roberto Court
San Luis Obispo, CA 93401
(805) 781-5912

2. Permit(s) or Approval(s) Authority:

CONSTRUCTION PHASE PERMITTING

Portable Equipment

Portable equipment used during construction activities may require statewide registration or a District permit.

Asbestos Demolition

Demolition and remodeling activities have potential negative air quality impacts, including issues surrounding proper demolition and disposal of asbestos containing material (ACM). Demolition and remodeling projects are subject to the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (NESHAP), which includes but is not limited to: 1) notification requirements to the District, 2) asbestos survey conducted by a Certified Asbestos Inspector, and, 3) applicable removal and disposal requirements of identified ACM.

Naturally Occurring Asbestos

The project site is located in a candidate area for Naturally Occurring Asbestos (NOA), which has been identified as a toxic air contaminant by the California Air Resources Board (ARB). Under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, prior to any grading activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the District. If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD.

Developmental Burning

Effective February 25, 2000, the APCD prohibited developmental burning of vegetative material within San Luis Obispo County. Under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. This requires prior application, payment of fee based on the size of the project, APCD approval, and issuance of a burn permit by the APCD and the local fire department authority. The applicant is required to furnish the APCD with the study of technical feasibility (which includes costs and other constraints) at the time of application.

OPERATIONAL PHASE PERMITTING

Permits for Operational Equipment

The commercial development components of the proposed project (i.e. gas stations, facilities with backup generators, dry cleaners, auto body and paint shops, etc.) may require APCD permits and applicants will need to apply for an Authority to Construct.

3. Environmental Information:

The potential air quality impacts from construction and buildout of the proposed project and all alternatives need to be fully assessed and compared in the EIR. The proposed project and the alternatives have the potential for significant impacts to local air emissions, ambient air quality, sensitive receptors, and the implementation of the Clean Air Plan (CAP). A complete air quality analysis needs to be included in the DEIR to adequately evaluate the overall air quality impacts associated with implementation of the proposed project (389 residential units, 345 SDUs, and a small commercial component) and the alternatives to the project. This analysis should address both short-term and long-term emissions impacts. The analysis should determine the impacts of the project and each alternative on SLO County's efforts to **maintain California's 1-hour ozone standard, reach California's PM10 standard, and California's newly adopted 8-hour ozone standard.** The following is an outline of items that should be included in the analysis:

- a) A description of existing air quality and emissions in the impact area, including the attainment status of the District relative to State air quality standards and any existing regulatory restrictions to development. The most recent CAP should be consulted for applicable information.
- b) A detailed quantitative air emissions analysis at the project scale is not relevant at this time.
- c) A qualitative analysis of the air quality impacts should be conducted. A consistency analysis with the CAP will determine if the emissions resulting from development under the project will be consistent with the emissions projected in the CAP, as described in item 6 of this letter. The qualitative analysis should be based upon criteria such as prevention of urban sprawl and reduced dependence on automobiles. A finding of Class I impacts could be determined qualitatively. The DEIR author should contact the District if additional information and guidance is required. All assumptions used should be fully documented in an appendix to the DEIR.
 - To aid in the air quality analysis, the traffic model should include the total daily traffic volumes projected for the residential units, SDUs, and commercial components. The traffic model results can be used in a quantitative analysis by providing a tool for comparing trip generation between different alternatives and evaluating effectiveness of mitigation methods for reducing traffic impacts. The model inputs for mileage and speed for all driving scenarios will need to be higher than the County averages due to the isolated nature of the proposed project and project alternatives.
- d) The DEIR should include a range of alternatives that could effectively minimize air quality impacts. A consistency analysis should be performed for each of the proposed alternatives identified, as described above. A qualitative analysis of the air quality

impacts should be generated for each of the proposed alternatives. Examples include but are not limited to:

- Flexible zoning to promote mixed use (balanced combination of residential and commercial) and design standards that protect mixed use.
- Increase the amount of neighborhood scale mixed use.
- Design standards that require narrow streets and minimum front setbacks on structures to promote traffic calming and pedestrian friendly environments.
- Limiting the size of each arterial through the development. This reduces the need for noise barriers such as cinder block walls along roadways, decreases roadway widths, and slows the speed of traffic, creating an atmosphere that encourages walking and bicycling.
- Expansion of transportation alternatives that reduces the dependency on single occupancy vehicles.

- e) Mitigation measures to reduce or avoid significant air quality impacts should be recommended.

4. Permit Stipulations/Conditions:

It is recommended that you refer to the "CEQA Air Quality Handbook" (the Handbook). A copy can be accessed on the District web page (www.slocleanair.org) in the Business Assistance section, listed under Regulations, or a hardcopy can be requested by contacting the District. The Handbook provides information on mitigating emissions from development (Section 5) which should be referenced in the DEIR. It should be noted that a project of this magnitude that is located in remote regions of SLO County may not be able to mitigate the air quality impacts with on-site measures and will likely be required to contribute to an off-site mitigation fund that can be used to offset air quality emissions in the surrounding community.

5. Alternatives:

Project alternatives need to be proposed and fully evaluated in the DEIR. The analysis should involve the same level of air quality analysis as described in bullet items 3.c and 3.d listed above.

Proposed Project Alternative

As stated in our September 27, 2004 letter on the Proposed San Miguel Ranch GPA, the APCD is concerned about the significant air quality impacts from the proposed project (i.e., 389 residential units, with 345 possible SDUs, and a small commercial component). When evaluating the proposed alternative the APCD would like to see the following aspects addressed:

- The impact from the significant increase in the anticipated population growth above and beyond the APCD's Clean Air Plan (CAP) expectations.

- Cumulative effects resulting from ongoing fracturing and development of agricultural lands in areas far removed from commercial services and employment centers. This project would place additional pressure on surrounding agricultural lands to also request similar re-zoning and build-out to secure short term profitability.
- The impact from the Project's residential focus that would further exacerbate the jobs/housing imbalance in San Miguel and foster continued dependency of private auto use as the only viable means of access to essential services and other destinations;
- The results of creating another bisected community that is divided by Highway 101, resulting in sprawled growth that is not easily supported by transportation alternatives – thus fostering further dependency on single occupancy vehicles.
- The Project's commercial component is minimal and primarily targeted to highway visitors. By limiting the commercial component, San Miguel residents will not be provided with the community's basic needs (e.g., jobs, shopping and schools) in close proximity.
- Address the compatibility of proposal with surrounding land uses. In the April 2005, the California Air Resources Board (ARB) issued a guidance document titled *Air Quality and Land Use Handbook*. In this document, the relationship between developing sensitive land uses, such as homes, in close proximity to major highways was highlighted as a health concern due to the increased exposure to air pollution and diesel exhaust. ARB studies show that air pollution levels can be significantly higher within 500 feet (150 meters) of freeways or busy traffic corridors and return to background levels within around 1000 feet (300 meters).
- With the County's current housing challenges, secondary dwelling units (SDUs) are viewed as a viable mechanism to provide affordable housing. When located within urban cores (e.g., URL/VRL) of the County, the APCD supports this form of housing application; however, when SDUs are located in remote regions of the County far removed from commercial services (e.g., jobs and shopping) the form of growth further exacerbates the impacts from mobile sources – the main source of air pollution in our County. During the evaluation of the Proposed Project, the APCD recommends a thorough evaluation of the proposed residential units (389) along with the maximum allowable SDUs (345).
- *The Proposed Project evaluation should also include the standard and discretionary air quality mitigation measures to further reduce the air quality impacts of the project. The APCD has conducted a preliminary analysis of the operational emissions that would be generated should this project move forward as it is proposed. Using conservative assumptions, the APCD analysis demonstrates that the operational impacts will exceed the APCD's Tier 3. This exceedence occurred with only the residential component simulated and did not include the buildout of SDUs which the proposed project also allows. Therefore, it is clear that if this project is to move forward as proposed, the Tier 3 emissions threshold will be substantially exceeded and significant onsite and off-site mitigation funding will be necessary to bring the air quality impacts to a level of insignificance.*

Redesigned Project Alternative with Transportation Alternatives

Another alternative to evaluate in the DEIR is a "Redesigned Project Alternative" which would include the following elements to minimize the project's traffic and air quality impacts:

- The residential component would need to be primarily compact, clustered and located at least 500 feet away from Highway 101. This clustering should include increased residential single and multi-family lots, reduced residential suburban and residential rural lots and increased open space land;
- The secondary dwelling option for those residences in the cluster development would need to be modified to minimize the vehicular emissions impacts; The neighborhood commercial development component would need to be significantly increased in scope such that the needs of this development and the current residents of San Miguel could be met. At a minimum, this would include:
 - A grocery store;
 - An all purpose merchandise store;
 - Neighborhood supporting businesses; and
 - Buildings for a significant number of professional jobs.
- Enhanced transportation alternatives to create a pedestrian/bicycling friendly link between the project site and San Miguel, as well as a transit system services and amenities to better connect San Miguel with commercial centers throughout the County; and,
- A redesign would likely also need to include the standard and discretionary air quality mitigation measures to further reduce the air quality impacts of the project and if this is not adequate mitigation to bring this project to a level of insignificance, off-site mitigation funding may also be necessary.

Urban Infill Alternative

As stated in the SLO County Agricultural Department's March 7, 2005 comments on the proposed GPA for this Project, there are still 766 undeveloped acres of land inside the San Miguel URL. The DEIR will need to consider an "Urban Infill Alternative" that retains the proposed site as agricultural land. This alternative would:

- Provide urban infill where growth is already planned within the existing URL;
- Result in San Miguel retaining its contiguous nature; and
- Provide neighborhood services and job centers as described in the Redesign Project Alternative.

It should also be consistent with the Board's adopted Smart Growth Principles and the CAP's land use strategies. An Urban Infill Alternative would eliminate many current trips outside of the town, thus minimizing the air quality impacts of buildout.

No Project Alternative

This alternative has no air quality impacts from the projects, but also does not have the air quality benefits associated with the Urban Infill Alternative.

6. Reasonably Foreseeable Projects, Programs or Plans:

The most appropriate standard for assessing the significance of potential air quality impacts for project EIRs is the preparation of a consistency analysis where the proposed project is evaluated against the land use goals, policies, and population projections contained in the CAP. The rationale for requiring the preparation of a consistency analysis is to ensure that the attainment projections developed by the District are met and maintained. Failure to comply with the CAP could result in long term air quality impacts, which could delay or preclude attainment of the state ozone standard. Inability to maintain compliance with the state ozone standard could bear potential negative economic implications for the county's residents and business community. The District's CEQA Air Quality Handbook provides guidance for preparing the consistency analysis and recommends evaluation of the following questions:

- a) Are the population projections used in the plan or project equal to or less than those used in the most recent CAP for the same area?
- b) Is the rate of increase in vehicle trips and miles traveled less than or equal to the rate of population growth for the same area?
- c) Have all applicable land use and transportation control measures from the CAP been included in the plan or project to the maximum extent feasible?

The land use and circulation policy areas contained in Appendix E of the District's CAP are crucial to the consistency analysis and should be specifically addressed in the DEIR. Implementation of these land use planning strategies is the best way to mitigate air quality impacts at the project scale.

These land use planning strategies are:

- Planning Compact Communities
- Providing for Mixed Land Use
- Balancing Jobs and Housing
- Circulation Management Policies and Programs
 - Promoting Accessibility in the Transportation System
 - Promoting Walking and Bicycling
 - Parking Management
 - Transportation Demand Management
 - Communication, Coordination and Monitoring

The formation of compact, pedestrian friendly and more economically self-sufficient communities will reduce automobile trip generation rates and trip lengths.

7. Relevant Information:

As mentioned earlier, the Handbook should be referenced in the EIR for determining the significance of impacts and level of mitigation recommended.

8. Further Comments:

General

Section 5 of this letter discusses the alternatives that the APCD recommends be evaluated in the DEIR to assure decision makers are provided with the options and their impacts when acting on the San Miguel Ranch proposal.

1. NOP: Air Quality Mitigation Conclusion Section & Mitigation for Alternatives

The Mitigation Conclusion section of the NOP's Environmental Analysis states that the APCD Tier 1 operational phase significance threshold would likely be exceeded when this project is completed. It also states that "mitigation measures may be necessary in order to reduce potentially significant air quality impacts including, but not limited to: reducing construction phase emissions through fugitive dust control and control of equipment emissions; asbestos control; vehicular emission reductions (activity management, Best Available Control Technology, efficient vehicular entry and circulation, etc.); and energy efficiency and site design."

In contrast and as discussed in Section 5 above for the Proposed Project Alternative, the APCD's preliminary simulation of the operational phase emissions for the proposed project indicates that the **emissions could significantly exceed the APCD's Tier 3 significance threshold**. Tier 3 exceedences typically need on and off-site mitigation measures to bring the project impacts to a level of insignificance. In addition, the NOP Environmental Analysis states that the proposed project would result in approximately 400 acres of site grading. This would be one of the largest grading projects that APCD would review and as such, significant construction phase mitigation needs would be likely and off-site mitigation funding for construction emissions may be necessary. **For future environmental reviews of this proposed project, both the construction and operational phase emissions of the proposed project and the alternatives need to be thoroughly evaluated, compared, and appropriate mitigation will need to be proposed to bring the impacts to a level of insignificance. Air quality mitigation measures can be found in the APCD's CEQA Air Quality Handbook and off-site mitigation measures should be proposed based on discussions with the APCD.**

2. Air Quality Attainment Status

The DEIR should correct an NOP statement that incorrectly indicates that the County is out of attainment for the State 1-hour ozone health based standard. The County is currently in attainment with that standard; however, in 2005 the California Air Resources Board adopted a more health protective 8-hour ozone standard, and when area designation for this standard occurs in later 2006, SLO County is projected to be in non-attainment for the new standard.

3. Residential Development Proximity

The DEIR would need to address the compatibility of proposal with surrounding land uses. In the April 2005, the California Air Resources Board (ARB) issued a guidance document titled ***Air Quality and Land Use Handbook*** (ARB Handbook). In this document, the relationship between developing sensitive land uses, such as homes, in close proximity to major highways was highlighted as a health concern due to the increased exposure to air pollution and diesel exhaust.

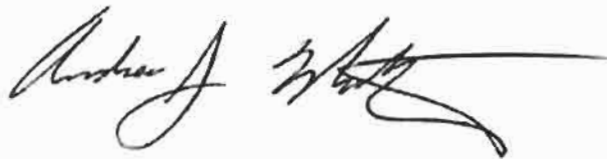
May 9, 2006

ARB studies show that air pollution levels can be significantly higher within 500 feet (150 meters) of freeways or busy traffic corridors and return to background levels within around 1000 feet (300 meters). In San Luis Obispo County, the Highway 101 corridor has areas that currently exceed the ARB Handbook's daily vehicle mitigation threshold and in the future, it is anticipated that the whole corridor will exceed this threshold. To mitigate health impacts from mobile sources in San Luis Obispo County, the APCD encourages that where feasible, local land use planning agencies and decision makers change their Highway 101 corridor development policies to include the following:

1. Developments within 500 feet of Highway 101 should be restricted to those that are generally less sensitive in nature such as commercial, industrial, retail, passive open space etc. and include trees (particularly immediately adjacent to the highway) to help filter highway vehicle emissions and dust.
2. Proposals that would site a sensitive land use near Highway 101 should include a 500 foot buffer between the highway and the sensitive land use.
3. Should new residential development occur within 500 ft of Hwy 101, disclosure notification should be provided to future owners or tenants informing them of the potential health impacts of living in close proximity to major highways.

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, or if you would like to receive an electronic version of this letter, feel free to contact me at 781-5912.

Sincerely,

A handwritten signature in black ink, appearing to read 'Andy Mutziger', with a long horizontal flourish extending to the right.

Andy Mutziger
Air Quality Specialist

AAG/AJM/sll

cc: Bill Henry, Morro Group



COUNTY OF SAN LUIS OBISPO

Department of Agriculture/Measurement Standards

2156 SIERRA WAY, SUITE A • SAN LUIS OBISPO, CALIFORNIA 93401-4556

ROBERT F. LILLEY

AGRICULTURAL COMMISSIONER/SEALER

(805) 781-5910

FAX (805) 781-1035

AgCommSLO@co.slo.ca.us

DATE: April 20, 2006

TO: Steve McMasters, Project Manager

FROM: Lynda L. Auchinachie, Agriculture Department

SUBJECT: San Miguel Ranch General Plan Amendment and Vesting Tentative
Tract Map (LRP2004-00007) - 0955

Name of Contact Person: Lynda Auchinachie
2156 Sierra Way, Suite A
San Luis Obispo, CA 93401
781.5914

Approval Authority: Agriculture and Open Space Element (AOSE)

Environmental Information: Mitigation for both the conversion of agricultural lands and
land use incompatibilities should be identified.

Alternatives: Reduced conversion of agricultural lands.

Relevant Information: Agriculture and Open Space Element.

Further Comments: None.

EIR Requested: CD version.

TO: Steve McMasters

FROM: Shaun Cooper, Parks

DATE: May 4, 2006

RE: **San Miguel Ranch General Plan Amendment, and Vesting Tentative Tract Map (LRP2004-00007) ED05-237**

This memo is regarding your NOP dated March 22, 2006.

Name of Contact Person: Shaun Cooper, extension 4388

Permit Authority: Parks, Recreation, & Trails within the County of San Luis Obispo.

Environmental Information: The San Luis Obispo County *Planning Commission Review Draft Parks and Recreation Element* indicates multi-use trails in the vicinity of this project.

Permit Stipulations/Conditons: 10th Street Trail-Connect development east of Hwy 101 to the developed portion of San Miguel via 10th Street.
San Miguel to Juan Bautista de Anza Trail- Connect the community of San Miguel to the Juan Bautista de Anza Historic Trial near Camp Roberts.

Alternatives: None proposed at this time.

Reasonably Foreseeable Projects, Programs or Plans: San Luis Obispo County *Planning Commission Review Draft Parks and Recreation Element*.

Relevant Information: San Luis Obispo County *Planning Commission Review Draft Parks and Recreation Element*.

Further Comments: On page 21 of the Initial Study Summary, under setting, it states that "The County Trails Plan shows that the project site is located *within* the Salinas River Trail Corridor." This needs to be corrected to "The County Trails Plan shows that the project site is located *near* the Salinas River Trail Corridor."

Eir Requested: Please send County Parks a copy of the environmental document on CD when it is available.



SAN LUIS OBISPO COUNTY DEPARTMENT OF PUBLIC WORKS

Noel King, Director

County Government Center, Room 207 • San Luis Obispo CA 93408 • (805) 781-5252

Fax (805) 781-1229

email address: pwd@co.slo.ca.us

April 24, 2006

MEMORANDUM

TO: Steve McMasters, Environmental Specialist

FROM: Richard Marshall, Development Services Engineer *RM*

SUBJECT: Notice of Preparation - San Miguel Ranch EIR

Thank you for the opportunity to provide information on the Notice of Preparation of an Environmental Impact Report on the subject project. Following is the information you requested:

1. Contact person: Richard Marshall, County Government Center Room 207, San Luis Obispo CA 93408. (805) 781-5280.
2. County Public Works will review required public improvements including streets and utilities, as well as drainage and flood hazard, under the provisions of the Real Property Division Ordinance and the Land Use Ordinance.
3. For our use, the report must address impacts on traffic and circulation, drainage and flood hazard. The Initial Study Checklist, and its Comments section, appear to cover these topics adequately.
4. A list of "standard conditions" is available from our office if you need it.
5. I do not have any alternative projects to suggest for evaluation.
6. This department is nearing completion of a traffic circulation study for the community of San Miguel. Its main emphasis is on development east of the railroad tracks, and potential impacts that may result. Traffic impacts of this project will still need to be studied as outlined in the Initial Study.

This department strongly encourages the applicant to obtain Caltrans' approval for their proposed access configuration, both at the North Mission Street and 10th Street interchanges. The access to the development site has the potential to need to modify these Caltrans facilities, which will involve a substantial process with that

agency, possibly including a Project Study Report (PSR), Project Approval and Environmental Document (PA&ED) and/or Project Report (PR). Close coordination with Caltrans, and securing their approval concurrently with the preparation of the County's environmental determination, will ensure that all circulation alternatives are fully evaluated and readily implemented upon project approval.

As a specific concern, the evaluation of the 10th Street interchange should include Cemetery Road, which serves as access to the southbound on-ramp, unless a new ramp alignment is proposed.

If the consultant would like more information on the County's circulation study, they may contact Frank Honeycutt at (805) 781-5269.

7. This department recently completed the preparation of a community-wide drainage study for San Miguel. The Initial Study adequately indicates this as a topic of concern, with specifics provided by the comments from Mikel Goodwin of this office which are attached to it. If the consultant would like more information about the drainage study, they may contact Jeff Werst at (805) 781-4480.
8. I have no further comments on the NOP.

Please call 781-5280, or write the above address, if I may be of further assistance.

Cc: James Kilmer, Caltrans District 5

File: Planned Developments - San Miguel Ranch

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LAFCO • The Local Agency Formation Commission

Serving the Area of San Luis Obispo County

April 24, 2006

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Mr. Steve McMasters
County of San Luis Obispo
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

Subject: Notice of Preparation Environmental Impact Report for the San Miguel General Plan Amendment, and Vesting Tentative Tract Map (LRP2004-00007) ED05-237

Dear Mr. McMasters :

Thank you for the opportunity to comment on the Notice of Preparation for the Environmental Impact Report being prepared by the County regarding the San Miguel Ranch General Plan Amendment and Tentative Tract Map. Please consider the following comments when completing the EIR:

1. **Name of Contact Person.** David Church, Analyst, San Luis Obispo Local Agency Formation Commission, 1042 Pacific Street, Suite A, San Luis Obispo, CA 93401. (805) 788-2096. Dchurch@SLOLAFCO.COM
2. **Permit(s) or Approval(s) Authority.** LAFCO is responsible for approving Spheres of Influence and annexations for jurisdictions throughout the County. A jurisdiction is required to obtain LAFCO's approval prior to serving a territory outside of its service area. Please see Government Code Section 56000 et al of the Cortese/Knox/Hertzberg Act for more information about LAFCO'S authority and procedures. As a responsible agency, LAFCO would use the EIR to approve the Sphere of Influence Update and any future annexation to the San Miguel Community Services District. The District's Sphere of Influence would be updated pursuant to the General Plan Amendment approved by the County.
3. **Environmental Information.** In order for LAFCO to consider the updating the District's Sphere of Influence and future annexation regarding this area into the District, an adequate environmental document must be prepared for LAFCO's use. It is recommended that the County's EIR for this project fully address the potential environmental impacts of adding this area to the District's SOI and service area. Further, information addressing the annexation of the property into the District's service area should be included in the

1042 Pacific Street, Suite A • San Luis Obispo, California 93401
Tel: 805.781.5795 Fax: 805.788.2072
www.slolafco.com

documentation. An analysis of the environmental issues related to the area proposed for inclusion in the District's ability to serve this area will enable LAFCO to use the EIR prepared by the County for updating the SOI and annexing the property. The EIR should address the capability of the District to provide services to existing and future residents with regard to water supply and demand, sewer capacity and demand, fire and police response, growth and development, financial constraints, and a variety of other service related factors.

The EIR should also address any service limitations the District may have in providing services to this area. A mutual water company should not be used to serve this project because the District is in the best position to serve this project.

4. **Permit Stipulations/Conditions.** Projects that are in the District's SOI would require LAFCO review and approval if the District is to serve the area. The District Sphere of Influence would be updated based on the County's approval of the General Plan Amendment.
5. **Alternatives.** A range of alternatives that meets the project's objectives and is consistent with CEQA should be studied. In particular, various boundary configurations for the Sphere of Influence boundary and future annexation to the District should be evaluated. A smaller boundary that includes only the urban areas to be served by the District should be analyzed. If open space is to be included within the District's boundary, a plan for activating the parks and recreation power and for the services to be provided by the District should be developed.
6. **Reasonable Foreseeable Projects, Programs, or Plans.** The information provided in the EIR would be used as reference information for future SOI Updates and annexations considered by LAFCO.
7. **Relevant Information.** San Luis Obispo LAFCO's Policies and Procedures for completing a variety of actions required by the Cortese/Knox/Hertzberg Act can be found at our website WWW.SLOLAFCO.COM. Also attached is the public review of the Sphere of Influence Update and Municipal Service Review for your consideration. Please note that the Sphere of Influence for the San Miguel CSD will be updated pursuant to the General Plan Amendment being processed by the County.
8. **Further Comments.** None.
9. **EIR Requested.** A copy of the EIR would be appreciated when it is available. A hard copy and CD copy would be useful.

Mr. Steve McMasters
County of San Luis Obispo
Page 3

We appreciate being contacted with regard to this project and look forward to hearing more about the plan as it progresses through the environmental review and planning process. If you have any questions regarding our comments please contact me at 781-5795.

Sincerely,

A handwritten signature in black ink, appearing to read "David Church", with a stylized flourish extending to the right.

DAVID CHURCH, AICP
Senior LAFCO Analyst



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

May 23, 2006

Steve McMasters, Project Manager
Environmental Division
Dept. of Planning and Building
County Government Center
San Luis Obispo, CA 93408-2040

RE: Notice of Preparation (NOP)
San Miguel Ranch GPA/TTM
(LRP2004-00007) ED05-237

Dear Mr. McMasters:

Thank you for distributing the NOP for a Draft EIR for the San Miguel Ranch project to the City of Paso Robles. I spoke with Bill Henry last week, and am optimistic that you will be able to include the City's comments when preparing the environmental analyses and alternatives for the project. It generally appears from the Initial Study that the topics of concern for the City have been identified for further study in the DEIR since impacts related to these topics may result in potentially significant impacts. These topics include: traffic (related to State Highways) and water resource management.

Of particular concern to the City is in regard to traffic impacts. Residents of the proposed development will likely use transportation facilities within the City of Paso Robles. The Traffic Impact Study should evaluate impacts of new traffic on the operations and functions of Highways 101 and 46 East, and the 46 East corridor, and all Highway 101 interchanges within the City limit of Paso Robles. Since there are several major highway improvements planned for these facilities, additional traffic impacts resulting from this project on these facilities should be identified and mitigated.

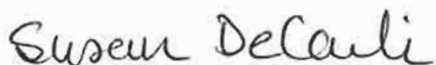
Another concern is in regard to water resource management. The scale of the proposed development may impact the safe yield of the Paso Robles Ground Water Basin, particularly if a significant number of lots are permitted to establish private water wells, on lots over 1 acre in size. The City would support the applicant's request to connect to the San Miguel Community Services District to manage and control water usage in a responsible manner.

A general comment is in regard to the project land use program and design. The project proposes a land use mix that is primarily low-density, single family residential. It includes very little commercial or other types of non-residential land uses. The layout is designed with loop roads, large lots, and cul-de-sacs. The location of the site is disconnected and separated from the San Miguel community. The design does not support transit, bicycle or pedestrian transportation. With the limited types of land use categories and the lack of connectivity, the layout will likely result in the need for residents to drive to meet any of their commercial, service, or civic needs. This in turn, will also likely result in congestion at the two access pinch-points for circulation and increase air pollution. The bottom line is that the proposed project is classic sprawl development.

It also appears that the project caters only to larger, estate-type residential development since it only includes 11 percent multi-family units, which with the extremely low density for the multi-family category, may be developed as small-lot single family development. In combination with the request to limit second units to 14 lots, there could be little ability for this development to provide any level of affordable housing. It is hoped that the land use alternatives developed in the DEIR consider other development layouts and land use mixes.

Should you have any questions, or need any information from the City of Paso Robles, please do not hesitate to call my office at 237-3970 or email sdcarli@prcity.com. Again, the City appreciates the opportunity to comment on the NOP for the San Miguel Ranch project.

Sincerely,



Susan DeCarli, AICP
City Planner

cc: Bill Henry, Morro Group
Ron Whisenand, Community Development Director
John Falkenstien, City Engineer
Brad Hageman, Water Resources Manager



PASO ROBLES PUBLIC SCHOOLS

Patrick J. Sayne, Ed. D., Superintendent

800 Niblick Road, P.O. Box 7010 • Paso Robles, CA 93447
Tel (805) 238-2222 • Fax (805) 237-3339 • www.pasoschools.org

TRUSTEES

*Jeanne Dugger
Pat Johnson
Bob Machado
Joe E. Quiroz
Debi Saunders
Robert Simola, Ph.D.
Ruben F. Tate, Jr.*

March 29, 2006

To: Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

Subject: RESPONSE TO NOTICE OF PREPARATION OF AN ENVIRONMENTAL
IMPACT REPORT SAN MIGUEL RANCH GENERAL PLAN AMENDMENT,
AND VESTING TENTATIVE TRACT MAP.

The following information that the Paso Robles Joint Unified School district views as relevant to the state proposed project:

The school district is a joint unified district which means that the elementary (grades K-8) boundary is different than the high school (grades 9-12) boundary. The project is within the Paso Robles Joint Unified School District high school boundary, but in the San Miguel Elementary School District boundary.

According to our current generation factors, the project would yield 49 additional high school students. The generation factor is currently being recalculated and the expectation is that it will increase slightly. Development fees currently mitigate only 30-35% of the cost for facilities for additional students.

The contact person for the Paso Robles Joint Unified School District for this project is:

Gary Hoskins
Assistant Superintendent
800 Niblick Road
P.O. Box 7010
Paso Robles, CA 93447
(805) 237-3348 ext. 208

RECEIVED
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Planning & Bldg

April 28, 2006

Steve McMasters, Project Manager
Environmental Division
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408-2040

Re: **San Miguel Ranch NOP Response**
GPA & VTM (LRP2004-00007) ED05-237

Dear Steve:

We have the following comments regarding the San Miguel Ranch Notice of Preparation.

Item	Page	Comment
Project Description - Secondary Dwelling Units	3	Secondary Dwelling Units: The proposed project includes the potential for only 14 secondary dwelling units. The project description appears as if the applicant is proposing second units on 345 lots. This needs to be removed from the project description and in several areas throughout the document. Including 345 second units at this stage in the process is purely speculative since they can never be built as the applicant has proposed the project. As a result, the inclusion of 345 secondary units has the potential to generate unwarranted and substantial opposition from neighbors and other San Miguel residents due to increased environmental impacts from them. To include 345 additional second units would result in substantial and unnecessary impacts on traffic, air quality, and other environmental impact areas. The number of second units will be legally restricted to 14 via a restriction that will be recorded at time of filing the final map. While this restriction may raise policy consistency issues it does not raise any environmental issues for an additional 345 units that will never be built, except for 14 second units.
Project Description - Recreation	3	Open Space: Please clarify the category to include open space and identify that the project includes 138 acres (25% of the site) of open space and recreational uses.
Project Description - Recreation	3/4	Equestrian: Please remove equestrian use from the Project Description. Although the trail system may see an occasional equestrian user, the trails will not be designed to accommodate equestrian users.
Aesthetics	7	California Scenic Highway: Confirm whether this stretch of Highway 101 has been officially designated as part of the California Scenic Highway System.
Agricultural	8/9	Class I Soils: The site does not include any Class I soils (see

Resources		attached map). The description incorrectly states that Class I irrigated soils are on site. Please note that there is a small portion of Class IV (Irrigated Class II) soils on the site.
Agricultural Resources	8/9	Undeveloped Soils in URL: The impact discussion states that there are 766 acres of undeveloped land within the URL and that the project is premature. However, this is not accurate. Based on the March 7, 2005 memo from Lynda Auchinachie (see page 3), the 766 acres refers to land within the existing CSD boundary, not the URL. Note also that the memo states that of the 766 acres, 686 are zoned AG. That leaves 80 acres not zoned AG. Based on a preliminary analysis done by RRM, the 80 remaining acres not zoned AG are predominantly already committed to development. Also please note that County staff in a memo dated April 8, 2004, on the Michaud General Plan Amendment (File No. G030015M) for a residential development on AG zoned land near the project concluded that residential capacity within the URL was "limited" and there was an existing need for additional residential development.
Biological Resources	12	Kit Fox: Under "Wildlife Corridors", the setting discussion incorrectly states that Kit Fox as well as numerous potential den sites were seen on site by Rincon in 2005. This is not correct. No Kit Fox were observed by Rincon and we are not aware of any that have been seen on site. The applicant is working closely with Fish and Game and USFWS to determine the details of a protocol survey or whether an HCP is required.
Cultural Resources	13	Paleontological Impacts: Paleo impacts are identified as potentially significant, but there is no real basis for this other than evidence in the region of other paleontological sites. No one has actually dug for fossils on the site itself. This issue needs to be evaluated in the EIR, mainly because the Initial Study left the question unresolved.
Hazards	16-17	Hazards: There is some inconsistency in the discussion. For example, the text mentions that a future gas station could be a problem, but then the conclusion of the discussion does not require further analysis in the EIR. It should probably be evaluated. With regard to fire hazards, the text says it's less than significant, but the checklist says it's significant. Which is it?
Noise	17-18	Noise: The discussion requires analysis in the EIR, but the scope may not be framed entirely accurately. A quick analysis would suggest that a 4,000 ADT increase over the existing 16,000 ADT would only result in a 1 dB increase at 40 feet from centerline. It would also move the 60 dB contour from 101 to 117 feet from centerline. Thus, it seems the project-specific impacts would be less than significant. However, there may be significant cumulative impacts and the EIR should certainly evaluate the construction-related impacts.

Population/Housing	18/19	Growth Inducing Impacts: We agree that growth-inducing impacts need to be considered. However, there is no need for a stand-alone "Population/Housing" section, since this will be covered in a separate discussion of growth-inducing impacts. In addition, we disagree with the checklist, item 9C, which states the project could have an impact on the need to provide housing—the project provides housing! It doesn't generate an impact on the housing supply...that would be true only if it were primarily a commercial project. The project will provide capacity needed to serve the project. Excess capacity is a choice of the CSD and not a choice of the project.
Public Services	19, 20	Library Impacts: In the checklist, "Other Facilities" is checked as being potentially significant, and the text refers to impacts on libraries. However, the scope of work does not call for the analysis of library impacts. The impact on libraries does not appear that would be significant.
Public Services	19, 20	Schools: Based on a discussion with Superintendent Dean Smith at Lillian Larsen, the school currently has capacity to handle additional kids. The school has 3 empty classrooms which could accommodate 60 to 90 kids. The NOP incorrectly states that the enrollment exceeds capacity.
Recreation	21	Recreation Impacts & Salinas River Trail: The project is not expected to generate the need for additional parks and recreation facilities since park facilities and hiking trails will be provided on the site. In addition, it's unclear how the project would adversely impact the construction of the Salinas River Trail since the project is not located anywhere near the river and on the west side of Highway 101. The river is located on the east side of Highway 101.
Transportation	22	Consultation: The selected EIR consultant should be sure to consult with the City of Paso Robles as well as Caltrans and the County.
Wastewater	23	Growth Inducing Impacts: The scoping document cites the growth inducing impacts of the sewer plant (or Camp Roberts) expansion. The project will only be providing the additional capacity that is necessary to serve the project. If additional capacity is requested, that's the choice of the CSD and is not a project impact. This is a decision to be made by another public agency, and not by the County or the project.
Water	24	Water Impacts: Rincon Notes: Water. <i>The Initial Study states that the project may need a water supply assessment per SB 610 and 221. It may, but it may not. The thresholds for evaluation under CEQA are stated below:</i> (1) A proposed residential development of more than 500 dwelling units. (2) A proposed shopping center or business establishment employing more

Mr. Steve McMaster
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April 28, 2006

		<p>than 1,000 persons or having more than 500,000 square feet of floor space.</p> <p>(3) A proposed commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space.</p> <p>(4) A proposed hotel or motel, or both, having more than 500 rooms.</p> <p>(5) A proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area.</p> <p>(6) A mixed-use project that includes one or more of the projects specified in this subdivision.</p> <p>(7) A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500 dwelling unit project.</p> <p>If we do not include second units, or only include 14 second units in addition to the 389 primary units, then we have not tripped the threshold of 500 equivalent dwelling units. Even if the motel is a 75-unit facility, and you add that to the 389 plus 14, you still only have 478 equivalent units (per criterion # 7). The additional 13,000 SF neighborhood retail would bring the equivalent dwelling unit count to 491. That's still less than the threshold.</p> <p>However, the applicant will do the functional equivalent of the SB 610 and 221 water assessment; even though it believes that it may not be subject to these statutes thresholds.</p>
Land Use	25, 26	Land Use: The physical impact required under CEQA does not seem to be present for this analysis.

If you have any questions please don't hesitate to call me at 543-1794.

Sincerely,

RRM DESIGN GROUP

John Knight
Principal Planner

Attachments:
Soils Map
March 7, 2005 Lynda Auchinachie memo
April 8, 2004 Lynda L. Auchinachie memo

cc: Bill Henry, Morro Group

Mr. Steve McMaster

Page 5

April 28, 2006

Brent Grizzle, San Miguel Ranch LLC

Kevin Merk, Morro Group

Ken Bornholdt, Bornholdt and Associates



Map data derived from the 1990s
 Digital vector data obtained from the
 National Center for Geographic Information Science, Inc.
 (National Center for Geographic Information Science, Inc.)

LAW OFFICES
BORNHOLDT & ASSOCIATES

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FACSIMILE (805) 966-4970

May 10, 2006

VIA FACSIMILE/U.S.MAIL

Mr. Brent Grizzle
San Miguel Ranch
1036 Capra Way
Fallbrook, CA 92028

**Re: NOP for San Miguel Ranch General Plan Amendment
and Vested Tentative Tract Map DEIR**

Dear Brent:

This letter is in response to your request for our comments regarding the County's treatment of secondary dwelling units in its initial study in the NOP for your Project. Specifically, you asked us to address the County's position that there is a potential for 345 dwelling units in addition to the dwelling units proposed because the proposed re-zoning to residential designations under the County's existing Housing Element Program HE 1.6 would allow for one secondary unit for every proposed single-family residential unit.

We believe the County's position regarding the potential for any dwelling units beyond the 14 secondary dwelling units proposed under the project description is inconsistent with the provisions of the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines ("Guidelines").

The principal reason for the inconsistency under CEQA is that the applicant's applications have clearly provided that the applicant would legally restrict the number of secondary dwelling units possible under the Project description to 14 units. The applicant can legally restrict the Project's maximum number of secondary dwelling units through several legal means including, without limitation, covenants, conditions and restrictions, and/or easements irrespective and apart from what the proposed zoning would allow. For example, a property owner at any time can record an open space easement to eliminate any type of development on real property even though the zoning would allow for it.

Mr. Brent Grizzle
May 10, 2006
Page 2 of 2

As a result, it is infeasible that there would be more than 14 secondary dwelling units ever allowed under the Project description. It would be infeasible because the Project description incorporates these legal restrictions. See: 14 Cal Code Regs Section 15364; Public Resource Code Sections 21061.1 and 21081(c). Since these 345 additional secondary dwellings could never be part of the Project due to legal infeasibility, there would be no environmental effects caused by such a potential. Under these circumstances, such environmental impact would be clearly speculative.

Therefore, the possibility of 345 additional secondary dwelling units can not be used by the County to determine the significance of the environmental effects caused by this project. See: 14 Cal Code Regs Sections 15064(f)(5)-(6) and 15384; Public Resource Code Sections 21080(e) and 21082.2(c). See: El Dorado County Taxpayers for Quality Growth vs. County of El Dorado, (2004) 122 Cal.App.4th 1591; Bowman vs. City of Berkeley (2004) 122 Cal.App.4th 572; Pala Band of Mission Indians vs. County of San Diego (1998) 68 Cal.App.4th 556; and Temecula Band of Luiseno Mission Indians vs. Rancho Cal. Water Dist. (1996) 48 Cal.App.4th 425.

For the foregoing reasons, it appears to us that there is no substantial evidence that that potential for additional 345 secondary dwelling units would support a fair argument that such additional secondary dwelling units could have a significant impact on the environment. Accordingly, it should not be part of the CEQA analysis for this Project.

If you have any questions concerning this matter, please do not hesitate to contact us.

Very truly yours,



Kenneth C. Bornholdt

KCB:jao

cc: John Knight (via facsimile)


April 11, 2006

Subject: San Miguel Ranch EIR (LRP2004-00007)

The following items should be included in the EIR evaluation for development:

- 1) **Water:** This development and other developments in the City of San Miguel will at least triple the population of San Miguel. San Miguel focuses on ground water for the urbanization. The Lake Nacimiento pipeline will follow the Salinas River from Camp Roberts south through San Miguel. Recommend that the Nacimiento pipeline should be considered for a source of water for urban growth leaving ground water for agriculture use.
- 2) **Public Services:** Fire protection, Police protection, Schools, Roads, Solid Waste are all supported by taxes, bonds or fees. Fire protection is provided by a volunteer fire department yet this development will double the size of San Miguel. Police protection is provided by the County Sheriff at most times provided by two deputies covering 1300 square miles. Roads exterior to this development will carry the burden of 4000 vehicles trips per day. Solid waste and water long-term operation will require continued development. New school structures will need to be built and staffed. Recommend the EIR identify potential taxes, bond issues and fees that will be required if not in dollar terms then in staff or structures.
- 3) **Commercial Development:** A significant reason for the support of the San Miguel management is potential development of the downtown San Miguel business district. Paso Robles is considering the development of a 25-acre shopping center on HWY 46. San Miguel has had 200 new housing units occupied in the last few years, with no significant new business establishments. Recommend that the EIR evaluate the potential of additional business development in the downtown San Miguel area because of this development and competing cities.

Thank you,



Paul Campomenosi
10950 Pear Valley Way
San Miguel, CA 93451
805-467-2373

Mr. Steve McMaster.

Planning Dept

I have excluded the article from the Press, but please consider the items in the attached talking paper for this EIR.

April 21, 2006

Thanks
Paul

Dear Supervisors Ovitt, Lenthall, Achadjran, Bianchi, Patterson

Re: San Miguel Ranch

The SLO Planning Department conducted an EIR Scoping Meeting on April 11 regarding this 389 resident/75 room hotel development on 550 acres. Over 100 concerned residents packed the San Miguel Community Center questioning the wisdom of the development. Only 3 to 4 of the attendees voiced support of the project.

Attached is an article by Paso Robles Press reporter Anne Quinn dated April 14, 2006. I have also included my talking paper for that evening. I thank you for your continued attention to this matter.

Sincerely,



Paul Campomenosi
10950 Pear Valley Way
San Miguel, CA 93451
805-467-2373

To Elizabeth Kavanaugh,
SLO Planning and Building Department
From Andrea Hobbs 467-2621
POB 156, San Miguel. 93451

4/11/06

San Miguel Ranch Development

There are grave issues regarding the conversion of this ag land.

This land will forever be ruined as a large agriculture property.

The development is surrounded on 3 sides by ag land use and is incompatible with the land around if developed. The 550 acre parcel should stay intact and not be fractured.

The traffic generated will be considerable, 10th street will be hugely impacted. Also, the air quality will suffer.

This huge parcel is at the Northern most end of SLO County and when cars arrive from the North they will pass by a congested area, which completely defeats the scenic corridor plan.

Light pollution is a major concern

First of all, the night sky offers tons of stars to be seen with the naked eye. This will not be the case with light pollution.

One end of the parcel is very close to Camp Roberts which has the endangered kit fox on their property and it is not too much of a leap to think there might be endangered species living on the 550 acres.

Urban development should take place in a compact manner, not out on a finger of land which isolates it from San Miguel

The EIR should study just how much infill could occur in San Miguel. By building out on a jut of land, this could set back San Miguel's growth in town.

Also, by changing land use guidelines there will be increasing

pressure on other ag land ^{owners} areas to fracture their land ---- LA Sprawl
will happen before long. This is what most of us want to avoid.

And most of us are very concerned about our well water take down
resulting from such a massive development.

This Development should not be allowed to proceed as it, it breaks all the
guidelines.

Sincerely,
Andrea H. Hobbs

To Elizabeth Kavanaugh
Planning and Building Dept.
1050 Monterey St.
San Luis Obispo County, CA 93408-2800

April 11, 2006

From Walter Hobbs
POB 156
San Miguel, CA 93451

RE San Miguel Ranch Development

I think this development is a very bad idea; it helps only a few in the short run and gives up long range goals, and disregards existing land use guidelines.

WATER - If the new development and the current town of San Miguel all get water from under the development there is a real possibility of the water table receding or worse, drying up, and then no one would benefit from this dubious part of the plan.

TRAFFIC - It is not too hard to see that the day to day predominate direction of auto travel from the development would be to the south, to San Miguel, Paso Robles, Atascadero and other points south. That means that the largest part of the traffic would use the 10th St. exit, which would put a great burden on that street in terms of pavement breakdown and huge traffic congestion.

There is no good reason to expand the current limits of the San Miguel CSD across highway 101 to include an isolated island of development (which could become a competing village with the current business district). What is needed is development in the current business district and home sites close by, sites that are within or close to walking distance to the business district.

There is no good reason to change the zoning of the 550 acres of the proposed development site so that small home sites can be built. This is just URBAN SPRAWL, which many of us came here to escape. It also creates a terrible precedent for the area; by breaking and/or changing the current rules it opens the flood gates for other get rich quick developers. We do not want this pristine agriculture area to be turned into another Los Angeles.

Sincerely,

Walter Hobbs

A handwritten signature in black ink, appearing to read "Walter Hobbs", written in a cursive style.

4/4/06

Steve McMasters, Project Manager
Environmental Division
Department of Planning and Building
County Government Center
San Luis Obispo, Ca. 93408-2040

Dear Steve McMasters:

This letter is in regards to the San Miguel Ranch proposal and the environmental impact report associated with it.

I live in Bridge Canyon Ranch which is west of the town of San Miguel. It is accessed by Cemetary road and Nygren road. Cemetary road is the Hwy 101 frontage road on the westside and it connects 10th street with Nygren road and Hwy 101 south. Bridge Canyon residents egress using Nygren to Cemetary road. I am concerned about the potential safety problem at the junction of Nygren and Cemetary roads caused by the large increase in traffic on Cemetary road resulting from the San Miguel Ranch development. If it is possible to do so, I would like to request that this be looked at as part of the traffic/circulation study and would like to recommend that a 10th street to Hwy 101 southbound onramp be evaluated as a possible solution to accommodate the increased southbound traffic flow from 10th street to Hwy 101 south caused by the San Miguel Ranch development.

Sincerely,



Bob Hrabe

P.O. Box 359

San Miguel, Ca. 93451

e-mail: roberthrabe@tcsn.net

805 467-2357

RECEIVED
APR 07 2006
Planning & Bldg

Bill Henry

From: smcmasters@co.slo.ca.us
Sent: Tuesday, April 04, 2006 6:10 PM
To: bhenry@morrogroup.com
Subject: Fw: San Miguel Ranch EIR

Attachments: SMREIR.rtf



SMREIR.rtf (2
KB)

SMR NOP response

----- Forwarded by Steve McMasters/Planning/COSLO on 04/04/2006 06:09 PM

"Robert Hrabe"
<roberthrabe@tcsn
.net> To
<smcmasters@co.slo.ca.us>
04/04/2006 06:03 cc
PM
Subject
San Miguel Ranch EIR

Steve:

I live in San Miguel and am sending this letter as a request to the EIR study on San Miguel Ranch. I had downloaded a copy of the "N.O.P." the other day and plan to attend the Apr. 11 scoping meeting in San Miguel.

Bob Hrabe(See attached file: SMREIR.rtf)

Bill Henry

From: Robert Hrabe [roberthrabe@tcsn.net]
Sent: Thursday, April 13, 2006 12:48 PM
To: bhenry@morrogroup.com
Subject: San Miguel Ranch EIR input

Mr. Bill Henry
Dept. of Planning and Building
San Luis Obispo, Ca.

Bill:

Thank you for giving the local San Miguel residents the opportunity to voice their opinions about the upcoming EIR on the San Miguel Ranch project. I wanted to request a copy of the water report that was mentioned in that meeting, I think it was the one by Cleath & Associates "Ground water conditions at San Miguel Ranch". I also wanted to list the 2 items relating to the EIR that I asked about at the meeting.

1. I live in Bridge Canyon Ranch which is west of the town of San Miguel. It is accessed by Cemetery road and Nygren road. Cemetery road is the Hwy 101 frontage road on the westside and it connects 10th street with Nygren road and Hwy 101 south. I am concerned about the potential safety problems at the junction of Nygren and Cemetery roads caused by the large increase in traffic on Cemetery road resulting from the San Miguel Ranch development. If it is possible to do so, I would like to request that this be looked at as part of the traffic/circulation study and would like to recommend that a 10th street to Hwy 101 southbound onramp be evaluated as a possible solution to accommodate the increased southbound traffic flow from 10th street to Hwy 101 south caused by the San Miguel Ranch development.

2. I am concerned about the impact that the San Miguel Ranch development will have on our water quality. I think that there is a possibility that the increased pumping of water from the westside area caused by the San Miguel Ranch project will lead to increased salinity levels in the water which may render it unsuitable for agricultural uses as well as unsuitable for drinking. I would like to request, if possible, that the salinity issue be looked at as part of the water study.

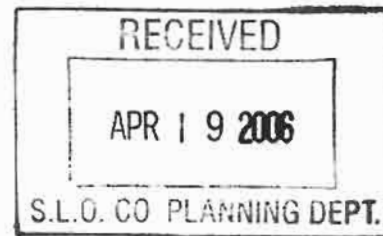
Sincerely,

Bob Hrabe
P.O. Box 359
9395 Bridge Canyon Way
San Miguel, Ca. 93451
roberthrabe@tcsn.net
805 467 2357

April 20, 2006

P.O. Box 335
San Miguel, CA 93451

Steve McMasters
Environmental Division
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408-2040



**RE: Notice of Preparation of a Draft EIR – San Miguel Ranch GPA and VTTM
(LRP2004-00007) ED05-237**

Dear Mr. McMasters:

Thank you for sending your notice of preparation to our neighborhood. We have prepared this letter per your request. **However, we would like the County Board of Supervisors to know that we agree with our neighbors that this project is a detriment to our community in terms of proposed land use and environmental impact, and in setting a County-wide precedence of converting agricultural land into suburban sprawl.**

We patiently listened to the vast majority of San Miguel residents attending your scoping meeting and voicing their concerns and opposition to the proposed GPA. We were surprised to hear two members of the San Miguel Advisory Council berate the attendees for not participating in two years of meetings with the developer. Had the community been noticed two years ago, there could have been much more participation and less probability that the project would have progressed to the EIR stage. The following issues and comments should be addressed in the EIR:

1. It appears that this was the first time the public had been formally noticed for this project. The EIR should address the public review process and explain the role of the San Miguel Advisory Council and acknowledge that this Council, for whatever reason, did not sufficiently notice the San Miguel community most impacted by the proposed project. Our concern is that the project will be forwarded for approval under the assumption that the developer worked with the Council, will have endured significant financial cost to complete an EIR, and should then be rewarded with project approval. Another important concern is that the developer has gone on record stating that Supervisor Harry Ovitt supports his project as submitted. If this is true, what good is the EIR and public review process if the most important vote on the Board has already been determined?
2. As outlined in your NOP Initial Study Checklist, and commented at the scoping meeting, the impacts of this project are extremely significant, with many impacts unmitigatable. The most significant problem with this development application is that the project description is vague in that it lacks the necessary detail for adequate analysis under CEQA and for the public and decision makers to understand. What exactly does this project look like? How will this project impact the West side and the greater San Miguel community? What off-site components (utilities, street connections,

infrastructure, transit services, etc) are required? Where is the comprehensive plan and where are the details?

3. Another problem with the process is that it is reactionary and missing a fundamental step in the planning process. Why would the County consider a major departure in General Plan policies and existing land use patterns and approve both a GPA and subsequently approve a Vesting Subdivision Map without adopting a Specific Plan or Comprehensive Area Plan? For a project of this size and magnitude, a Specific Plan or similar planning process is required to adequately address the departure from goals and policies of the General Plan and to adequately process the General Plan Amendment and environmental review.
4. Secondary living units need to be included in the total potential unit count and population count for the project in the all areas of analysis.
5. Assuming the proposed multi-family use is to address County affordability concerns, apartments are not the same as condominiums and in either case should be deed-restricted affordable if counted/marketed to the decision makers as "affordable units". Ditto for any houses deemed "affordable". In addition, reliable public transit and health service accommodations should be extended to these units by the developer.
6. Driveway and road intersection sight distance, speed control, intersection improvements, bicycle safety accommodations, and full street improvement analysis should be extended to 10th Street, Cemetery Road, and intersecting streets and driveways.
7. Existing U.S. Hwy 101 SB ramp should be studied for public safety and alternate use.
8. New U.S. Hwy 101 SB ramp at 10th Street should be studied.
9. Who will bear the costs of development? What benefit will the County and the San Miguel community receive in return? The EIR should clearly analyze the financial costs and benefits of replacing agricultural lands with the proposed project. As a GPA, the project requires detailed fiscal analysis based on firm project description land uses. We understand that mechanisms/mitigation will be in place to offset project-specific impacts. However, the developer proposes to provide additional value to our community and infrastructure. Where is the value?
10. Please analyze what guarantee a motel and retail shops (i.e. tax generators) will actually be constructed to assure the County of sales tax and bed tax revenues. Describe legal agreement.
11. Where is the connectivity to San Miguel? Any project should include easy trail access to the San Miguel community. If trails and parks are to be public, the commitment should not rely on having to drive to the site to use the facilities. Connections should include bicycle, hiking, and equestrian pathway linkages to the San Miguel town.
12. Please clearly identify the school situation. Where are the children to attend? How does this project help or hinder the existing San Miguel, Paso Robles or other school enrollments, funding, and existing or future facilities? Does long distance bussing make sense when trying to build community?

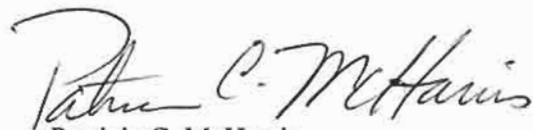
13. Similar to schools, please clearly identify the fire, police, parks, libraries, senior services, and health services situation. Where does the project address these services? How does this project help or hinder the existing and future facilities, funding, response times, personnel and levels of service?
14. Please describe and analyze the massive grading of hilltops and ridgelines and the construction of single-family houses and apartments in relation to the existing setting and visual impact to both residents and tourists of San Miguel. Please analyze in terms of visual simulation, night lighting, and commercial and residential signage.
15. Lowering of our groundwater by 450,000 gallon/day peak is a significant impact. The peak groundwater removal will impact our local wells and water quality. The project should include a guarantee of well replacements and filtering systems for surrounding residents if our groundwater is diminished and our well systems have to be re-constructed.
16. The proposed 13-acre lot sizes and configurations are insufficient to act as agricultural buffers or serve in agricultural use. Please include a project alternative that separates the proposed conventional suburban subdivision from the adjacent agricultural zoning and permanently restricts the buffer for agricultural zoning and use by deed-restriction, easement, or similar mechanism.
17. Why did the developer farm in the fall and then recently disk valuable grazing land on his property this year? Was this done to avoid biological survey or monitoring? Please respond in the EIR and include biological peer review if necessary.
18. Please include a preferred project alternative that proposes an agricultural friendly model - typically accomplished on 40-acre lots; and a second best alternative – typically accomplished with clustering of lots, rather than the proposed conventional suburban subdivision. Please include analysis to determine if clustering under “smart growth” principles is even possible on a site remote from downtown San Miguel.

Thank you for consideration of our comments, and thank you for the professional work of your staff including Elizabeth Kavanaugh, Tony Navarro, and your consultant Bill Henry.

Sincerely,



Steven G. McHarris



Patricia C. McHarris

cc. Harry Ovitt – Supervisor, 1st District
Shirley Bianchi – Supervisor, 2nd District
Jerry Lenthall – Supervisor, 3rd District
K. H. “Katcho” Achadjian – Supervisor, 4th District
James Patterson – Supervisor, 5th District

TO WHOM IT MAY CONCERN

RE: 550 ACRE DEVELOPMENT WEST OF SAN MIGUEL

WE ARE DEFINITELY OPPOSED TO THE PROJECT BEING CONSIDERED WEST OF SAN MIGUEL WHICH MEANS OUR BACKYARD.

WE GREW UP IN ORANGE COUNTY WITH ORANGE TREES AND WIDE OPEN LAND, AFTER FIFTY YEARS OF DEVELOPMENT AND NO WAY TO STOP IT WE MOVED TO SAN MIGUEL TO GET BACK TO COUNTRY, AWAY FROM HUSSLE & BUSSLE, TRAFFIC AND CRIME.

ATTACHED IS ALL VERY GOOD REASONS WHY THIS IS A PROBLEM.

BUT NOT MENTIONED IS ALSO:


YOUNGER SOCIETY WITH CHILDREN NEEDING SCHOOLS AND SAFE MONITERED ACTIVITIES (LATCHKEY KIDS WILL FIND A GANG).

ROADS TO ACCOMMODATE TRAFFIC

THE OVER RUNNING OF NATURAL HABITAT WE DO LIVE WITH AND ENJOY.

ALTIMATELY MONEY TALKS BUT INVESTMENT HAS TO STAND FOR SOMETHING TOO AND THAT IS WHAT WE HAD HOPED WE FOUND, NOT BEING FORCED INTO THE KIND OF CITY THAT WE MOVED AWAY FROM.

WE AS COMMUNITY RESIDENTS ARE UPSET THAT THIS CAN GO FOWARD BECAUSE OF THE ALMIGHTY DOLLAR.

CORDIALLY,  John Pitchard